

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

LEINANI DESLANDES, on behalf of herself)
and all others similarly situated,)

Plaintiff,)

v.)

McDONALD'S USA, LLC, a Delaware limited)
liability company, McDONALD'S)
CORPORATION, a Delaware corporation; and)
DOES 1 through 10, inclusive,)

Defendants.)

STEPHANIE TURNER, on behalf of herself)
and all others similarly situated,)

Plaintiff,)

v.)

McDONALD'S USA, LLC, a Delaware limited)
liability company, McDONALD'S)
CORPORATION, a Delaware corporation,)

Defendants.)

Case No. 17-cv-04857

Judge Jorge L. Alonso
Magistrate Judge M. David Weisman

Case No. 19-cv-05524

**DEFENDANTS' MEMORANDUM IN SUPPORT OF PLAINTIFFS' MOTION FOR
LEAVE TO FILE UNDER SEAL PORTIONS OF ITS RESPONSE TO DEFENDANTS'
STATEMENT OF ADDITIONAL MATERIAL FACTS REGARDING PLAINTIFFS'
CROSS-MOTION FOR SUMMARY JUDGMENT ON MCDONALD'S ASSERTED
JUSTIFICATIONS**

Pursuant to the Court's January 3, 2022, Order (Dkt. 433), McDonald's USA, LLC and McDonald's Corporation (collectively, "McDonald's") file this memorandum in support of maintaining the seal on certain of its documents and information filed by Plaintiffs on December 21, 2021, as referenced in Plaintiff's motion for leave to file under seal (Dkt. 429).

Plaintiffs' December 21, 2021 filings that include the subject documents and information consist of: (1) Plaintiffs' Reply In Support of Cross-Motion for Summary Judgment on McDonald's Asserted Justifications; (2) Plaintiffs' Opposition to Defendants' Motion to Exclude the Report and Testimony of Peter Cappelli; (3) Plaintiffs' Opposition to Defendants' Motion to Exclude the Report and Testimony of Hal J. Singer; and (4) Plaintiffs' Response to McDonald's Statement of Additional Material Facts. Dkts. 426, 427, 428 & 431.

These filings are supported by previously-filed briefs in support of the parties' cross-motions for summary judgment and the exhibits filed thereto. *See* Dkts. 390, 391, 396, 397, 402, & 404. McDonald's has previously briefed why a discrete subset of the exhibits and information contained in these filings should remain under seal. In those memoranda, McDonald's detailed the competitive market of quick service restaurants; the thousands of hours and vast resources McDonald's has invested to develop detailed systems and templates for training, operating and market analysis, which combine to give McDonald's restaurants a competitive edge; as well as how McDonald's works to safeguard the confidentiality of the information at issue. Bearing in mind the bar to maintain filings under seal, McDonald's requested only a small part of the relevant materials be kept under seal for these reasons. McDonald's incorporates its prior submissions as to these identical exhibits rather than repeat itself here. *See* Dkts. 282, 297, 354, 376, 413 and 424.

The only portion of Plaintiff's December 21 filings not previously the subject of briefing with regard to sealing are four redactions in Plaintiffs' Response to Defendants' Statement of Additional Material Facts (Dkt. 431). McDonald's has reviewed the redacted portions of this filing and has determined that, from its perspective, none of the redacted portions need be maintained under seal.

WHEREFORE, Defendant's move for an Order permitting the documents and information previously moved to be maintained under seal in Dkts. 376, 413 & 424 to remain under seal consist with McDonald's prior memoranda in support of sealing.

Dated: January 18, 2022

Respectfully submitted,

**McDONALD'S USA, LLC,
McDONALD'S CORPORATION**

By: /s/ Robert M. Andalman
Robert M. Andalman

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CERTIFICATE OF SERVICE

I, Robert M. Andalman, an attorney, hereby certify that the foregoing **DEFENDANTS' MEMORANDUM IN SUPPORT OF PLAINTIFFS' MOTION FOR LEAVE TO FILE UNDER SEAL PORTIONS OF ITS RESPONSE TO DEFENDANTS' STATEMENT OF ADDITIONAL MATERIAL FACTS REGARDING PLAINTIFFS' CROSS-MOTION FOR SUMMARY JUDGMENT ON MCDONALD'S ASSERTED JUSTIFICATIONS** was electronically filed on January 18, 2022 and will be served electronically via the Court's ECF Notice system upon the registered parties of record.

/s/ Robert M. Andalman
Robert M. Andalman